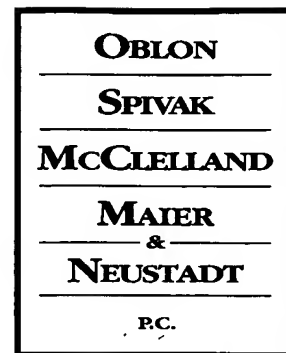




IFW

Docket No.: 244078US3

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/686,559
Applicants: Shinichi YOSHIMURA, et al.
Filing Date: October 17, 2003
For: SOLENOID VALVE
Group Art Unit: 3751
Examiner: John Bastianelli

SIR:

Attached hereto for filing are the following papers:

Response to Election of Species

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

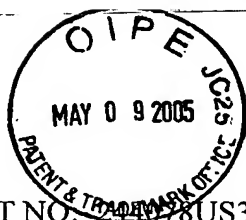
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DOCKET NO. 2003-078US3

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
SHINICHI YOSHIMURA, ET AL. : EXAMINER: JOHN BASTIANELLI
SERIAL NO: 10/686,559 :
FILED: OCTOBER 17, 2003 : GROUP ART UNIT: 3751
FOR: SOLENOID VALVE :

RESPONSE TO ELECTION OF SPECIES

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Election of Species Requirement dated April 7, 2005, Applicants provisionally elect, with traverse, the invention of Species I, corresponding to Figs. 1-7 as identified by the Examiner and list Claims 1-4 and 9 as readable thereon. Applicants respectfully submit that at least Claims 1 and 2 are generic.

Applicants traverse the outstanding Election of Species Requirement on the grounds that it has not been established that there would be an undue burden to examine each of the noted species claims together.

Under M.P.E.P. § 803, an Election requirement is not proper if a search and examination can be made without a serious burden on the Examiner, and the outstanding Election of Species requirement has not established that examining each of the currently-pending claims together would result in an undue burden.

M.P.E.P. § 803 specifically states:

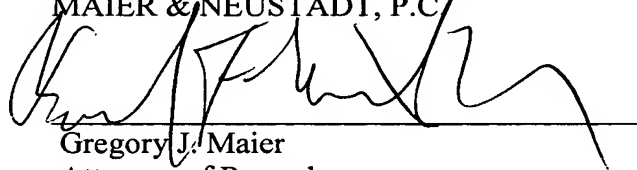
If the search and examination of an entire application can be made without serious burden, the examiner must examine it on

the merits, even though it includes claims to independent or distinct inventions.

The outstanding Election of Species Requirement has not established that each of the claims could not be examined together without an undue burden, and, thus, all of Claims 1-9 should be examined on the merits.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read 'Gregory J. Maier', is written over a horizontal line.

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